

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Power Authority of the State of New York,

Plaintiff,

v.

The tug *M/V ELLEN S. BOUCHARD*, and the barge  
*B. NO. 280*, their engines, apparel, tackle, boats,  
appurtenances, etc., *in rem*, and Bouchard  
Transportation Co., Inc., Motor Tug Ellen S.  
Bouchard, Inc., and B. No. 280 Corp., *in personam*,

Defendants.

CASE NO. 14-cv-0617 (PAC)

IN THE MATTER OF THE COMPLAINT OF

BOUCHARD TRANSPORTATION CO., INC.,  
MOTOR TUG ELLEN S. BOUCHARD INC., and B.  
NO. 280 CORPORATION,

CASE NO. 14-cv-1262 (PAC)

AS OWNERS, OWNERS *PRO HAC VICE*, AND  
OPERATORS OF THE:

BARGE B. NO. 280 and TUG ELLEN S.  
BOUCHARD

**NOTICE OF MOTION**

PLEASE TAKE NOTICE, that upon the accompanying Memorandum of Law and the documents in support thereof, Limitation Defendant/Claimant Power Authority of the State of New York (“NYPA”), by and through their attorneys, Holland & Knight LLP, and Limitation Defendants/Claimants Underwriters Group One (as defined in 14-cv-1262, Dkt. # 26), by and through their attorneys, Foran Glennon Palandech Ponzi & Rudloff PC, and Limitation Defendant/Claimants Underwriters Group Two (*Id.*), by and through their attorneys, Cozen

O'Connor (NYPA, Underwriters Group One and Underwriters Group Two collectively, "Cable Interests"), hereby move this Court before the Honorable Paul A. Crotty, United States District Judge, at the United States Courthouse, Southern District of New York, 500 Pearl Street, New York, New York, for an Order precluding portions of expert opinion testimony and corresponding portions of the main and supplemental reports of Captain R. Russell Johnson ("Johnson"), an expert witness disclosed by Bouchard Transportation Co., Inc. ("Bouchard Transportation"), Motor Tug Ellen S. Bouchard Inc. ("Tug Owner"), B. No. 280 Corp ("Barge Owner"), the tug M/V Ellen S. Bouchard (the "Tug") and the barge B. No. 280 (the "Barge") (Bouchard Transportation, Tug Owner, Barge Owner, Tug and Barge collectively, "Bouchard").

PLEASE TAKE FURTHER NOTICE that in accordance with the schedule set by the Court, any opposition to this motion shall be filed and served by March 19, 2020, with any reply to be filed and served by March 26, 2020.

Dated: New York, New York  
March 12, 2020

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